FORM PTO-1083

HOWREY & SIMON
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800

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AUG 1 1 1999
Group 2700

Attorney Docket No. 03047.0006.US04

OIPE JC73
AUG 0 6 1999
PATENT & TRADEMARK OFFICE

Appln. No.: 09/120,452
Inventors: Paul YURT *et al.*
Filed: July 23, 1998
For: Audio and Video Transmission and Receiving System

Group Art Unit 2734
Examiner A. Le

ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

Sir:

Transmitted herewith are the following:

- ☒ Reply and Amendment under 37 C.F.R. § 1.111
- ☒ Terminal Disclaimer to Obviate a Double-Patenting Rejection under 37 C.F.R. § 1.321(c)
- ☒ Second Supplemental Information Disclosure Statement
- ☒ Form PTO-1449 (6 pages), with one accompanying document

The claim fee has been calculated as shown below:

	(Col. 1) Claims Remaining After This Submission		(Col. 2) Highest No. Previously Paid For	(Col 3) Present Extra	SMALL ENTITY Rate	SMALL ENTITY Additional Fee	OR	OTHER THAN A SMALL ENTITY Rate	OTHER THAN A SMALL ENTITY Additional Fee
TOTAL	* 43	MINUS	** 27	= 16	x 9 =			x 18 =	288.00
INDEP.	* 3	MINUS	*** 3	= 0	x 39 =			x 78 =	0.00
☐ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 130 =			+ 260 =	
					TOTAL	$	OR	TOTAL	$ 288.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior submission or the number of claims originally filed.

☐ Please charge my Deposit Account No. 08-3038 in the amount of ____________. A duplicate copy of this sheet is attached.

☒ Howrey & Simon Check No. 314495 in the amount of $ 528.00 to cover the extra claims fee and the fee for submitting an Information Disclosure Statement after issuance of the first action on the merits but before issuance of a final rejection or Notice of Allowance is enclosed.

☒ Howrey & Simon Check No. 314496 in the amount of $ 110.00 to cover the fee for filing a statutory disclaimer is enclosed.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-3038. A duplicate of this sheet is attached.

- ☒ Any additional fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.

Date: August 6, 1999

Andrea G. Reister (Reg. No. 36,253)

Dockets.Justia.com

#10 SUPP. IDS 8/11/99 tw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 0 6 1999 PATENT & TRADEMARK OFFICE

In re application of:

Paul YURT *et al.*

Appln. No.: 09/120,452

Filed: July 23, 1998

For: Audio and Video Transmission and Receiving System

Art Unit: 2734

Examiner: Le, A.

Atty. Docket: 03047.0006.US04

Second Supplemental Information Disclosure Statement

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Information Disclosure Statement filed on February 10, 1999, in connection with the above-captioned application.

Copies of the documents were cited by or submitted to the Office in Application No. 08/630,590, filed April 10, 1996, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

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Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested.

This Information Disclosure Statement is being filed after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance. The statutory fee of $240.00 in payment of the fee under 37 C.F.R. § 1.17(p) is included in attached Howrey & Simon Check No. 314495. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038.

Respectfully submitted,

Andrea G. Reister (Reg. No. 36,253)

Date: August 6, 1999

HOWREY & SIMON
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#9/B
8/11/99

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Group 2700

OIPE JC73
AUG 0 6 1999
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Paul YURT *et al.*

Appln. No.: 09/120,452

Filed: July 23, 1998

For: Audio and Video Transmission and Receiving System

Art Unit: 2734

Examiner: Le, A.

Atty. Docket: 03047.0006.US04

Reply and Amendment Under 37 C.F.R. § 1.111

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Office Action dated June 25, 1999, (PTO Prosecution File Wrapper Paper No. 8), Applicants submit the following Amendment and Remarks.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 08-3038.

Amendments

In the Claims:

Please amend claim 33 as follows:

33. (Amended) A communication system comprising:

a transmission system at a first location in data communication with a reception system at a second location, wherein said transmission system comprises

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~~an identification encoder, and~~

a compressed data library in data communication with ~~said identification~~ encoder, wherein said identification encoder gives items in said compressed data library a unique identification code; and

wherein said reception system comprises

a transceiver in data communication with said transmission system,

a storage device in data communication with said transceiver,

user playback controls in data communication with said storage device,

a digital decompressor in data communication with said storage device, and

a playback device in data communication with said digital decompressor.

Please add the following new claims:

27 -- ~~60~~. A communication system comprising:

a transmission system at a first location in data communication with a reception system at a second location, wherein said transmission system comprises

an identification encoder, wherein said identification encoder allows entry of a popularity code; and

a compressed data library in data communication with said identification encoder; and

wherein said reception system comprises

a transceiver in data communication with said transmission system,

a storage device in data communication with said transceiver,

user playback controls in data communication with said storage device,

a digital decompressor in data communication with said storage device, and

a playback device in data communication with said digital decompressor.

28 ~~61~~. A communication system as recited in claim 27 ~~60~~, wherein said transmission system further comprises:

a source material library storing a portion of at least one data file.

29 ~~62~~. A communication system as recited in claim 28 ~~61~~, wherein said transmission system further comprises:

a converter having a data input in data communication with said source material library and a digital data output.

30 ~~63~~. A communication system as recited in claim 29 ~~62~~, wherein said transmission system further comprises:

a data compressor in data communication with said digital data output of said converter.

31 ~~64~~. A communication system as recited in claim 27 ~~60~~, wherein said transmission system further comprises:

a compressed data formatting device in data communication with said identification encoder.

32 ~~65~~. A communication system as recited in claim 27 ~~60~~, wherein said transmission system further comprises a sequence encoder.

33 ~~66~~. A communication system as recited in claim 32 ~~65~~, wherein said sequence encoder transforms digital data blocks into a group of addressable data blocks.

34 ~~67~~. A communication system as recited in claim 27 ~~60~~, wherein said transmission system further comprises:

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a transmitter in data communication with said compressed data library, wherein said transmitter sends at least a portion of a compressed data file to said reception system.

35 ~~68.~~ A communication system as recited in claim ~~60~~ 27, further comprising:

a user request interface in data communication with said transmission system, wherein said user request interface enables a user to make a request for at least a portion of a data file.

36 ~~69.~~ A communication system as recited in claim ~~68~~ 35, wherein said reception system comprises said user request interface.

37 ~~70.~~ A communication system as recited in claim ~~60~~ 27, wherein said reception system further comprises:

a receiver format converter in data communication with said transceiver, wherein said receiver format converter converts at least a portion of a data file into a format suitable for playback by a user.

38 ~~71.~~ A communication system as recited in claim ~~60~~ 27, wherein said reception system further comprises:

an output data converter in data communication with said digital decompressor.

39 ~~72.~~ A communication system as recited in claim ~~60~~ 27, wherein said storage device stores at least a portion of a data file.

40 ~~73.~~ A communication system as recited in Claim ~~60~~ 27, wherein said storage device stores an entire data file.

41 ~~74~~. A communication system as recited in Claim 39 ~~72~~, wherein said storage device is a temporary storage device.

42 ~~75~~. A communication system as recited in Claim 40 ~~73~~, wherein said storage device is a temporary storage device.--

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 33-75 are pending in the application, with 33, 50 and 60 being the independent claims. New claims 60-75 are sought to be added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following Remarks, Applicants respectfully request that the examiner reconsider all outstanding objections and rejections and they be withdrawn.

Rejections Under 35 U.S.C. §102

The Examiner has rejected claims 33-37 and 41-49 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,130,792 to Tindell *et al.* ("the Tindell patent,"). Applicants believe the Examiner has misinterpreted the claim element of "identification encoder." In the application, the "identification encoder" is in data communication with a compressed data library and the identification encoder gives items in the compressed data library a unique identification code." *See* application page 22, ll. 3-14. The Examiner suggests that encoder 46 of the Tindell patent teaches such a function. *See* Office Action ¶ 5, line 4. However, encoder 46 functions to encrypt data and not to give a unique identification code. *See* the Tindell patent, col. 3, ll. 25-27. Applicants have amended claim 33 to more clearly define the function of the identification encoder of the present invention. Because of their dependence on independent claim 33, claims 34-38 and 41-49 are also allowable.

Moreover, with respect to claim 44, the receiver format converter is in data communication with a transceiver *in the reception system*. Such an element is not shown or disclosed in the Tindell patent. The Examiner suggests that elements 32 and 33 [*sic*] of the Tindell patent are analogous to Applicants' claimed format converter. *See* Office Action ¶ 5, line 7. The Tindell patent discloses elements 32 and 34 as being located in the Central Data Facility 10, and not in the reception system as claimed by the Applicants.

Other Matters

The Examiner has rejected claims 33-37 and 39-59 under the doctrine of obviousness-type double patenting over claims 1-27 of U.S. Patent No. 5,132,992. Applicants submit herewith a Terminal Disclaimer to Obviate a Double Patenting Rejection under 37 C.F.R. § 1.321(c). The filing of a terminal disclaimer to obviate a rejection based on nonstatutory double patenting is not an admission of the propriety of the rejection. *Quad Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870 (Fed. Cir. 1991) (the filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor an estoppel on the merits of the rejection); M.P.E.P. § 804.02.

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Applicants note with appreciation the Examiner's indication of allowable subject matter in claim 38. Accordingly, Applicants have added new claim 60 that incorporates the elements of original claims 33 and 38. Applicants have also added claims 61-74 that depend from new claim 60 and include the elements of claims 34-37 and 39-49. Because of their dependence on allowable claim 60, these claims are also allowable.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

09372052 .071201

Respectfully submitted,

Andrea G. Reister

Andrea G. Reister (Reg. No. 36,253)

Date: August 6, 1999

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August 6, 1999

Andrea G. Reister
Of Counsel
(202) 383-7438
reistera@howrey.com

Assistant Commissioner for Patents
Washington, DC 20231

Group Art Unit 2734
Attn: Amanda T. Le

RECEIVED
AUG 11 1999
Group 2700

Re: U.S. Utility Application No. 09/120,452
Filed: July 23, 1998
For: Audio and Video Transmission and Receiving System
Inventors: Paul YURT *et al.*
Atty. Docket: 03047.0006.US04

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Form PTO-1083 (in duplicate);
2. Reply and Amendment under 37 C.F.R. § 1.111;
3. Terminal Disclaimer to Obviate a Double Patenting Rejection under 37 C.F.R. § 1.321(c);
4. Second Supplemental Information Disclosure Statement;
5. Form PTO-1449 (6 pages), with one (1) accompanying document;
6. Howrey & Simon Check No. 314495 in the amount of $528.00 to cover the extra claims fee and the fee for submitting an Information Disclosure Statement after issuance of the first action on the merits but before issuance of a final rejection or a Notice of Allowance;
7. Howrey & Simon Check No. 314496 in the amount of $110.00 to cover the fee for filing a statutory disclaimer; and
8. Return postcard.

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It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. A duplicate copy of this letter is enclosed.

Sincerely,

Andrea G. Reister

Andrea G. Reister (Reg. No. 36,253)

Enclosures

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

ml 8

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/120,452	07/23/98	YURT	P	02473.0004

LM12/0625

HOWREY & SIMON
BOX NO. 34
1299 PENNSYLVANIA AVENUE, NW
WASHINGTON DC 20004-2402

EXAMINER	
LE, A	
ART UNIT	**PAPER NUMBER**
2734	8

DATE MAILED: 06/25/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

09120452, 072398

PTO-90C (Rev. 2/95)

1- File Copy

Office Action Summary

Application No.	Applicant(s)	
09/120,452	Paul Yurt et al	
Examiner		Group Art Unit
Amanda T. Le		2734

☒ Responsive to communication(s) filed on *2/10/99*

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *33-59* is/are pending in the application.

Of the above, claim(s) ______ is/are withdrawn from consideration.

☐ Claim(s) ______ is/are allowed.

☒ Claim(s) *33-37 and 39-59* is/are rejected.

☒ Claim(s) *38* is/are objected to.

☐ Claims ______ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on ______ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on ______ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) ______.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: ______.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) *5*

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

1. Claims 33-59 are pending in this application This Office Action supersedes the Office Action mailed on 03/05/99 which did not take into consideration of the Preliminary Amendment filed on 2/10/99.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985), *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970),and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969)

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

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3. Claims 33-37, 39-59 are rejected under the judicially created doctrine of double patenting over claims 1-27 of U. S. Patent No. 5,132,992 since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matters.

Furthermore, there is no apparent reason why applicants were prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F 2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 33-37, 41-49 are rejected under 35 U S.C. 102(e) as being anticipated by Tindell et al (submitted by Applicants, U S. Patent no 5,130.792)

Tindell et al's store and forward video system (Fig. 2, 3, 5-7) teaches the following claimed subject matters: "identification encoder" (46, or col 3. lines 25-27). "compressed data library" (22); "transceiver" (col. 2, line 60-col 3, line 3), "storage device" (76, 78), "user playback control" (72); "digital decompressor" (82); "playback device" (88, 126, col. 5, lines 55-58); "source material library" (24); "converter" (26); "compressor" (44), "format converter" (32, 33); "user request interface" (80, col. 2, line 60-col. 3, line 3), "output converter" (86, 88), "transmitter" (108).

Allowable Subject Matter

6. Claims 39 and 40 would be allowable if rewritten to overcome the double patenting rejection, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. Claims 50-59 would be allowable if rewritten or amended to overcome the double patenting rejection set forth in this Office action

8. Claims 38 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

9.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051. (for formal communications intended for entry)

Or:

(703) 308-6743, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda Le, whose telephone number is (703) 305-4769. The Examiner can normally be reached on Tuesday-Friday from 8 00 A M. - 5 30 P M. The examiner can also be reached on alternate Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin, can be reached on (703)305-4714

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4900.

09120452.072398

June 22, 1999

Amanda Le

Amanda T. Le
Primary Patent Examiner

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 03[redacted]006.US04	APPLICATION NO. 09/120,452
	APPLICANTS Yurt *et al.*	
	FILING DATE July 23, 1998	GROUP ~~2712~~ 2734

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AL	AA1	5,793,980	8/11/98	Glaser et al.	395	200.61	
AL	AB1	5,191,573	03/1993	Hair	—	—	
AL	AC1	5,675,734	10/1997	Hair	—	—	
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1						
	AK1						

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL	AL1	EPO 0309298A2	03/1989	EPO	—	—	(Yes) No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	
	AS	1	
	AT	1	

EXAMINER	Amandale	DATE CONSIDERED	06·22·99

EXAMINER. Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

#7

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/120452	07/23/98	YURT	02473.0004

EXAMINER: LE, AMANDA T

ART UNIT	PAPER NUMBER
2734	

FINNEGAN HENDERSON FARABOW
GARRETT AND DUNNER
1300 I STREET NW
WASHINGTON DC 20005-3315

DATE MAILED: 03/23/99

This is in response to the Power of Attorney filed 03/10/99.

☐ 1. The Power of Attorney to you in this application **has been revoked** by the applicant. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

☒ 2. The Power of Attorney to you in this application **has been revoked** by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record. (37 CFR 1.33).

☐ 3. The withdrawal as attorney in this application **has been accepted**. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

[signature]
This is a communication from the Patent and Trademark Office

09/120452 07/23/98

☒ 4. The Power of Attorney in this application **is accepted**: Correspondence in this application will be mailed to the below-noted address as provided by 37 CFR 1.33.

☐ 5. The Power of Attorney in this application **is not accepted** for the reason(s) checked below:

☐ a. The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73 (b) has not been received.

☐ b. The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.

☐ c. The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.

☐ d. The signature of ______________________, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor.

☐ e. The person(s) appointed in the Power of Attorney is not registered to practice before the U. S. Patent & Trademark Office.

☐ f. The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.

HOWREY & SIMON
BOX NO. 34
1299 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20004-2402

[signature]
This is a communication from the Patent and Trademark Office

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CH

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/120,452	07/23/98	YURT P	02473.0004

LM02/0305

FINNEGAN HENDERSON FARABOW
GARRETT AND DUNNER
1300 I STREET NW
WASHINGTON DC 20005-3315

EXAMINER	
LE,A	
ART UNIT	**PAPER NUMBER**
2734	3

DATE MAILED: 03/05/99

Please find below and/or attached an Office communication concerning this application or proceeding.

09120452 . 072398

Commissioner of Patents and Trademarks

PTO-90C (Rev. 2/95)
*U.S. GPO: 1998-404-496/40510

1- File Copy

Office Action Summary

A[redacted]plication No.	Applicant(s)
09/120,452	Paul Yurt et al
Examiner	**Group Art Unit**
Amanda T. Le	2734

[X] Responsive to communication(s) filed on *7/23/98* .

[ ] This action is **FINAL.**

[ ] Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

[X] Claim(s) *1-9 and 12-20* is/are pending in the application.

Of the above, claim(s) ______ is/are withdrawn from consideration.

[ ] Claim(s) ______ is/are allowed.

[X] Claim(s) *1-9 and 12-20* is/are rejected.

[ ] Claim(s) ______ is/are objected to.

[ ] Claims ______ are subject to restriction or election requirement.

Application Papers

[X] See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

[ ] The drawing(s) filed on ______ is/are objected to by the Examiner.

[ ] The proposed drawing correction, filed on ______ is [ ] approved [ ] disapproved.

[ ] The specification is objected to by the Examiner.

[ ] The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

[ ] Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

[ ] All [ ] Some* [ ] None of the CERTIFIED copies of the priority documents have been

[ ] received.

[ ] received in Application No. (Series Code/Serial Number) ______ .

[ ] received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: ______ .

[ ] Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

[X] Notice of References Cited, PTO-892

[X] Information Disclosure Statement(s), PTO-1449, Paper No(s). 1

[ ] Interview Summary, PTO-413

[X] Notice of Draftsperson's Patent Drawing Review, PTO-948

[ ] Notice of Informal Patent Application, PTO-152

--- *SEE OFFICE ACTION ON THE FOLLOWING PAGES* ---

1. Claims 1-9, 12-20 are pending in this application.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

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3. Claims 1-9, 12-20 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9, 12-17, 19-21 respectively of U.S. Patent No. 5,132,992. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claimed limitations that differ from that of the patented are either covered by the patented claims or would have been obvious to one of ordinary skill in the art at the time of the invention to implement based on the teachings of the patented claims.

4. Claims 1 and 18 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 or 14 and 2 or 5 respectively of U.S. Patent No.

5,253,275. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claimed limitations that differ from that of the patented are either covered by the patented claims or would have been obvious to one of ordinary skill in the art at the time of the invention to implement based on the teachings of the patented claims.

5. Claim 1 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 5,550,863. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claimed limitations that differ from that of the patented are either covered by the patented claims or would have been obvious to one of ordinary skill in the art at the time of the invention to implement based on the teachings of the patented claims.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7. Claims 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Ballantyne et al.

Ballantyne et al's distribution method (Fig. 1B) teaches the following claimed steps: "storing audio and video information" (element 32, col. 3, lines 59-61); "requesting transmission" (element 34); "sending at least a portion" (26); "receiving the sent information" (Fig. 2, 36); "buffering the received information" (38, col. 5, line 14); "playing back the buffered information" (col. 5, lines 45-48).

Conclusion

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6743, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda Le, whose telephone number is (703) 305-4769. The Examiner can normally be reached on Tuesday-Friday from 8:00 A.M. - 5:30 P.M.. The examiner can also be reached on alternate Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin, can be reached on (703)305-4714.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4900.

March 3, 1999

Amanda T. Le
Primary Patent Examiner

09120452.072398

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

6a 3/23

In re application of:

Yurt *et al.*

Appl. No. 09/120,452

Filed: July 23, 1998

For: **Audio and Video Transmission and Receiving System**

OIPE JC28 FEB 10 1999 PATENT & TRADEMARK OFFICE

Art Unit: 2712

Atty. Docket: 03047.0006.US04

Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The above-captioned application is a continuing application that claims priority under 35 U.S.C. § 120 back to application number 07/637,562. As such, H. Lee Browne D/B/A Greenwich Information Technologies LLC ("Greenwich") is the assignee of the entire right, title and interest in the above-captioned application by virtue of the assignment recorded at the U.S. Patent and Trademark Office on February 6, 1992 at reel 6007, frame 0679. The undersigned, having express authority to represent Greenwich, hereby revokes all powers of attorney heretofore given in the above-captioned application and appoints as his attorneys Jeffrey I. Auerbach, Reg. No. 32,680; Melvin L. Barnes, Jr., Reg. No. 38,375; Michael J. Bell, Reg. No. 39,604; Mark R. Buscher, Reg. No. 35,006; Celine T. Callahan, Reg. No. 34,301; Cono A. Carrano, Reg. No. 39,623; James F. Davis, Reg. No. 21,072; Thomas M. Dunham, Reg. No. 39,965; Joel M. Freed, Reg. No. 25,101; Alan M. Grimaldi, Reg. No. 26,599; Alexander J. Hadjis, Reg. No. 36,540; Albert P. Halluin, Reg. No. 25,227; Richard H. Kjeldgaard, Reg. No. 30,186; Joseph P. Lavelle, Reg. No. 31,036; David R. Marsh, Reg.

No. 41,408; Joseph A. Micallef, Reg. No. 39,772; Anthony D. Miller, Reg. No. 34,394; Karen L. Nicastro, Reg. No. 35,968; Andrea G. Reister, Reg. No. 36,253; Stephen J. Rosenman, Reg. No. 29,209; Timothy L. Scott, Reg. No. 37,931; Anthony W. Shaw, Reg. No. 30,104; J. David Smith, Reg. No. 39,839; and Michael J. Songer, Reg. No. 39,841, with full power of substitution, association, and revocation, to prosecute said application and to transact all business in the United States Patent and Trademark Office connected therewith.

The undersigned hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Address correspondence to:

HOWREY & SIMON
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004-2402

Direct Phone Calls to Andrea G. Reister, Esq. at (202) 783-0800.

09120452 . 072398

On behalf of Greenwich:

FOR: GREENWICH INFORMATION TECHNOLOGIES LLC

SIGNATURE: ______________________

BY: H. Lee Browne

TITLE: Chief Executive Officer

DATE: 2/8/99

Certificate Under 37 C.F.R. § 3.73(b)

Applicant(s): Paul Yurt and H. Lee Browne

Application No: 09/120,452 Filed: July 23, 1998

For: Audio and Video Transmission and Receiving System

Greenwich Information Technologies LLC, a Limited Liability Corporation,
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. [X] An Assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 6007, Frame 0679, or for which a copy thereof is attached.

[or]

B. [ ] A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:

1. From: ____________________ To: ____________________
   The document was recorded in the Patent and Trademark Office at
   Reel __________, Frame __________, or for which a copy thereof is attached.

2. From: ____________________ To: ____________________
   The document was recorded in the Patent and Trademark Office at
   Reel __________, Frame __________, or for which a copy thereof is attached.

3. From: ____________________ To: ____________________
   The document was recorded in the Patent and Trademark Office at
   Reel __________, Frame __________, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

To the best of the undersigned's knowledge and belief, title of the patent application identified above is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 2/8/99

Name: H. Lee Browne

Title: Chief Executive Officer

Signature: [signature]

OIPE JC28 FEB 10 1999 PATENT & TRADEMARK OFFICE

09120452 - 072598

HOWREY & SIMON
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800

FORM PTO-1083

Attorney Docket No. 03047.0006.US04

In re application of Yurt *et al.*
Appl. No. 09/120,452

Filed: July 23, 1998

OIPE JC28 FEB 1 0 1999 PATENT & TRADEMARK OFFICE

For: Audio and Video Transmission and Receiving System

THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- _ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.
- _ A statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- _ No additional claim fee is required.

The claim fee has been calculated as shown below:

	(Col. 1) Claims Remaining After Amendment		(Col. 2) Highest No. Previously Paid For	(Col. 3) Present Extra
TOTAL	* 27	MINUS	** 20	= 7
INDEP.	* 2	MINUS	** 3	= 0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY Rate	SMALL ENTITY Addit. Fee		OTHER THAN A SMALL ENTITY Rate	OTHER THAN A SMALL ENTITY Addit. Fee
x 11 =	$ 00.00	Or	7 x 18 =	$ 126.00
x 41 =	$ 00.00		x 82 =	$ 00 00
+135 =	$ 00.00		+ 270 =	$ 00.00
Total Addit. Fee	$ 00.00	OR	TOTAL	$ 126 00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

_ Please charge my Deposit Account No. 08-3038 in the amount of $______. A duplicate copy of this sheet is attached.

xx A check in the amount of $ 126.00 is attached.

xx The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-3038. A duplicate copy of this sheet is attached.

xx Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
xx Any patent application processing fees under 37 CFR 1.17.

Date February 10, 1999

Andrea G. Reister (Reg. No. 36,253)

HOWREY & SIMON

Attorneys at Law
1299 Pennsylvania Ave., NW
Washington, DC 20004-2402
(202) 783-0800
FAX (202) 383-6610

Andrea G. Reister
Of Counsel
(202) 383-7438
reistera@howrey.com

GAU 2712

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FEB 10 1999
PATENT & TRADEMARK OFFICE

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FEB 18 1999
Group 2700

February 10, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Utility Patent Application
Appl. No. 09/120,452; Filed: July 23, 1998
For: **Audio and Video Transmission and Receiving System**
Inventors: Paul Yurt *et al.*
Our Ref: 03047.0006.US04

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Notice of Correspondence Address;
2. Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record;
3. Certificate Under 37 C.F.R. § 3.73(b);
4. PTO-Form 1083;
5. Second Preliminary Amendment;
6. First Supplemental Information Disclosure Statement;
7. Form PTO-1449 and 4 cited documents;
8. Check No. 305614 in the amount of $126 for excess total claims; and
9. Return post card.

09120452.021699

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Andrea G. Reister

Andrea G. Reister, Reg. No. 36,253

Enclosures

#5
PG
3-22-99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OIPE JC28
FEB 10 1999
TRADEMARK OFFICE

In re application of: Yurt *et al.* Appl. No. 09/120,452 Filed: July 23, 1998 For: **Audio and Video Transmission and Receiving System**	Art Unit: 2712 Examiner: A. Le Atty. Docket: 03047.0006.US04

First Supplemental Information Disclosure Statement

Assistant Commissioner for Patents
Washington, D.C. 20231

03/04/1999 #4052 0723398

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on July 23, 1998, in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038.

Respectfully submitted,

Andrea G. Reister
Registration No. 36,253

Date: February 10, 1999

HOWREY & SIMON
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800

09120452.021099

#4
PL
3-17-99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OIPE JC28
FEB 10 1999
PATENT & TRADEMARK OFFICE

In re application of:

Yurt *et al.*

Appl. No. 09/120,452

Filed: July 23, 1998

For: **Audio and Video Transmission and Receiving System**

Art Unit: 2712

Examiner: A. Le

Atty. Docket: 03047.0006.US04

RECEIVED
FEB 18 1999
Group 2700

Notice of Correspondence Address

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please change the correspondence address for the above-referenced application to be as follows:

Andrea G. Reister, Esq.
Howrey & Simon
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004-2402

Please change the attorney docket number to the new attorney docket number (03047.0006.US04) as shown above. Please direct telephone calls to 202-783-0800.

Respectfully submitted,

Andrea G. Reister

Andrea G. Reister (Reg. No. 36,253)

Date: February 10, 1999

HOWREY & SIMON
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800

03/12/1999 02/25/1999

#2/A
3-29-99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yurt *et al.*

Appl. No. 09/120,452

Filed: July 23, 1998

For: **Audio and Video Transmission and Receiving System**

OIPE JC28
FEB 1 0 1999
PATENT & TRADEMARK OFFICE

Art Unit: 2712

Examiner: A. Le

Atty. Docket: 03047.0006.US04

~~Second~~ Preliminary Amendment

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please enter the following Second Preliminary Amendment in the above-captioned application prior to the examination thereof.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 08-3038.

02/16/1999 TLUU11 00000063 09120452
01 FC:103 126.00 OP

A

Amendments

In the Claims:

Please cancel claims 1-9 and 12-20 currently pending in the application without prejudice to or disclaimer of the subject matter contained therein. Please substitute therefor the following new claims 33-59.

--33. A communication system comprising:

a transmission system at a first location in data communication with a reception system at a second location, wherein said transmission system comprises

an identification encoder, and

a compressed data library in data communication with said identification encoder; and

wherein said reception system comprises

a transceiver in data communication with said transmission system,

a storage device in data communication with said transceiver,

user playback controls in data communication with said storage device,

a digital decompressor in data communication with said storage device, and

a playback device in data communication with said digital decompressor.

34. A communication system as recited in Claim 33, wherein said transmission system further comprises:

a source material library storing a portion of at least one data file.

35. A communication system as recited in Claim 34, wherein said transmission system further comprises:

a converter having a data input in data communication with said source material library and a digital data output.

a1 cont.

~~36.~~ 4. A communication system as recited in Claim ~~35,~~ 3, wherein said transmission system further comprises:

a data compressor in data communication with said digital data output of said converter.

~~37.~~ 5. A communication system as recited in Claim ~~33,~~ 1, wherein said transmission system further comprises:

a compressed data formatting device in data communication with said identification encoder.

~~38.~~ 6. A communication system as recited in Claim ~~33,~~ 1, wherein said identification encoder allows entry of a popularity code.

~~39. A communication system as recited in Claim 33, wherein said transmission system further comprises a sequence encoder.~~

~~40.~~ 7. A communication system as recited in Claim ~~39,~~ 1, wherein said sequence encoder transforms digital data blocks into a group of addressable data blocks.

~~41.~~ 8. A communication system as recited in Claim ~~33,~~ 1, wherein said transmission system further comprises:

a transmitter in data communication with said compressed data library, wherein said transmitter sends at least a portion of a compressed data file to said reception system.

~~42.~~ 9. A communication system as recited in Claim ~~33,~~ 1, further comprising:

a user request interface in data communication with said transmission system, wherein said user request interface enables a user to make a request for at least a portion of a data file.

~~43.~~ 10. A communication system as recited in Claim ~~42,~~ 9, wherein said reception system comprises said user request interface.

a1 cont.

11 ~~44.~~ A communication system as recited in Claim 1 ~~33~~, wherein said reception system further comprises:

a receiver format converter in data communication with said transceiver, wherein said receiver format converter converts at least a portion of a data file into a format suitable for playback by a user.

12 ~~45.~~ A communication system as recited in Claim 1 ~~33~~, wherein said reception system further comprises:

an output data converter in data communication with said digital decompressor.

13 ~~46.~~ A communication system as recited in Claim 1 ~~33~~, wherein said storage device stores at least a portion of a data file.

15 ~~47.~~ A communication system as recited in Claim 1 ~~33~~, wherein said storage device stores an entire data file.

14 ~~48.~~ A communication system as recited in Claim 13 ~~46~~, wherein said storage device is a temporary storage device.

16 ~~49.~~ A communication system as recited in Claim 15 ~~47~~, wherein said storage device is a temporary storage device.

17 ~~50.~~ A communication system comprising:

a transmission system at a first location in data communication with a reception system at a second location, wherein said transmission system comprises

a source material library,

an identification encoder in data communication with said source material library,

a converter having a data input in data communication with said source material library and a digital data output,

a sequence encoder in data communication with said digital data output,

a digital data compressor in data communication with said digital data

a1 cont.

output,

a compressed data formatting device in data communication with said digital data compressor,

a compressed data library in data communication with said compressed data formatting device, and

a transmitter in data communication with said compressed data library; and wherein said reception system comprises

a transceiver in data communication with said transmission system,

a receiver format converter in data communication with said transceiver,

a storage device in data communication with said receiver format converter,

user playback controls in data communication with said storage device,

a digital decompressor in data communication with said receiver format converter, and

an output data converter in data communication with said digital decompressor.

18 ~~51.~~ A communication system as recited in Claim ~~50,~~ 17 wherein said digital data compressor is in data communication with said sequence encoder.

19 ~~52.~~ A communication system as recited in Claim ~~50,~~ 17 wherein said compressed data formatting device is in data communication with said identification encoder.

20 ~~53.~~ A communication system as recited in Claim ~~50,~~ 17 further comprising:

a user request interface in data communication with said transmission system.

21 ~~54.~~ A communication system as recited in Claim ~~53,~~ 20 wherein said reception system comprises said user request interface.

22 ~~55.~~ A communication system as recited in Claim ~~50,~~ 17 wherein said storage device stores at least a portion of a data file.

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a) end

23 ~~56.~~ A communication system as recited in Claim 17 ~~50~~, wherein said storage device stores an entire data file.

24 ~~57.~~ A communication system as recited in Claim 17 ~~50~~, wherein said transceiver transmits a user request for a data file to said transmission system and receives the entire data file as compressed data blocks from said transmission system.

25 ~~58.~~ A communication system as recited in Claim 17 ~~50~~, wherein said transceiver transmits a user request for at least a portion of a data file to said transmission system and receives the portion of the data file as compressed data blocks from said transmission system.

26 ~~59.~~ A communication system as recited in Claim 17 ~~50~~, wherein said output data converter is in data communication with said storage device. --

---

Remarks

Upon entry of the foregoing amendment, claims 33-59 are pending for the Examiner's consideration, with claims 33 and 50 being the independent claims. Claims 1-9 and 12-20 have been canceled herein without prejudice to or disclaimer of the subject matter contained therein. Claims 10-11 and 21-32 were previously canceled without prejudice to or disclaimer of the subject matter contained therein. New claims 33-59 have been added. These changes are believed to introduce no new matter, and their entry is respectfully requested. In this regard, the Examiner is referred to, for example, figures 2a, 2b, and 6, and page 12, line 14 through page 29, line 13 and page 38, line 24 through page 40, line 9, of the application as originally filed.

Conclusion

Prompt and favorable consideration of this Second Preliminary Amendment is respectfully requested.

Respectfully submitted,

Andrea G. Reister
Registration No. 36,253

Date: February 10, 1999

HOWREY & SIMON
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
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HOWREY & SIMON
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OIPE JC28
FEB 1 0 1999
PATENT & TRADEMARK OFFICE

FORM PTO-1083

Attorney Docket No. 03047.0006.US

In re application of Yurt *et al.*
Appl. No. 09/120,452

Filed: July 23, 1998

For: Audio and Video Transmission and Receiving System

THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:
Transmitted herewith is an amendment in the above-identified application.

_ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a statement previously submitted.

_ A statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

_ No additional claim fee is required.

The claim fee has been calculated as shown below:

	(Col. 1) Claims Remaining After Amendment		(Col. 2) Highest No. Previously Paid For	(Col. 3) Present Extra
TOTAL	* 27	MINUS	** 20	= 7
INDEP.	* 2	MINUS	*** 3	= 0
☐ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY Rate	SMALL ENTITY Addit. Fee		OTHER THAN A SMALL ENTITY Rate	OTHER THAN A SMALL ENTITY Addit. Fee
x 11 =	$ 00.00	Or	7 x 18 =	$ 126.00
x 41 =	$ 00.00		x 82 =	$ 00.00
+135 =	$ 00.00		+ 270 =	$ 00.00
Total Addit. Fee	**$ 00.00**	OR	TOTAL	$ 126.00

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

_ Please charge my Deposit Account No. 08-3038 in the amount of $______. A duplicate copy of this sheet is attached.

XX A check in the amount of $ 126.00 is attached.

XX The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-3038. A duplicate copy of this sheet is attached.

XX Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
XX Any patent application processing fees under 37 CFR 1.17.

Date February 10, 1999

Andrea G. Reister (Reg. No. 36,253)

FORM PTO 948 (REV. 11-97) U.S. DEPARTMENT OF COMMERCE-Patent and Trademark Office Application No. 09/120,452

NOTICE OF DRAFTPERSON'S PATENT DRAWING REVIEW

The drawing filed (insert date) 7-23-9 are:

A. ✓ not objected to by the Draftperson under 37 CFR 1.84 or 1.152.

B. ______ objected to by the Draftperson under 37 CFR 1.84 or 1.152 as indicated below. The Examiner will require submission of new, corrected drawings whe necessary. Corrected drawings must be submitted according to the instructions on the back of this notice.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink. Color.
   - ______ Color drawing are not acceptable until petition is granted. Fig.(s) ______
   - ______ Pencil and non black ink is not permitted. Fig(s) ______
2. PHOTOGRAPHS. 37 CFR 1.84(b)
   - ______ Photographs are not acceptable until petition is granted,
   - ______ 3 full-tone sets are required. Fig(s) ______
   - ______ Photographs not properly mounted (must brystol board or photographic double-weight paper). Fig(s) ______
   - ______ Poor quailty (half-tone). Fig(s) ______
3. TYPE OF PAPER. 37 CFR 1.84(e)
   - ______ Paper not flexible, strong, white and durable. Fig.(s) ______
   - ______ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not acceptable. (too thin)
   - ______ Mylar, vellum paper is not acceptable (too thin). Fig(s) ______
4. SIZE OF PAPER. 37 CFR 1.84(F): Acceptable sizes:
   - ______ 21.0 cm by 29.7 cm (DIN size A4)
   - ______ 21.6 cm by 27.9 cm (8 1/2 x 11 inches)
   - ______ All drawings sheets not the same size. Sheet(s) ______
5. MARGINS. 37 CFR 18.4(g): Acceptable margins:
   - Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm SIZE: A4 Size
   - Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm SIZE: 8 1/2 x 11
   - ______ Margins not acceptable. Fig(s) ______
   - ______ Top (T) ______ Left (L)
   - ______ Right (R) ______ Bottom (B)
6. VIEWS. CFR 1.84(h)
   REMINDER: Specification may require revision to correspond to drawing changes.
   - ______ Views connected by projection lines or lead lines. Fig.(s) ______

   Partial views. 37 CFR 1.84(h)(2)
   - ______ Brackets needed to show figure as one entity. Fig.(s) ______
   - ______ Views not labeled separately or properly. Fig.(s) ______
   - ______ Enlarged view not labeled separately or properly. Fig.(s) ______
7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)
   - ______ Hatching not indicated for sectional portions of an object. Fig.(s) ______
   - ______ Sectional designation should be noted with Arabic or Roman numbers. Fig.(s) ______
8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)
   - ______ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned, so that the top becomes the right side, except for graphs. Fig.(s) ______
   - ______ Views not on the same plane on drawing sheet. Fig.(s) ______
9. SCALE. 37 CFR 1.84(k)
   - ______ Scale not large enough to show mechansim without crowding when drawing is reduced in size to two-thirds in reproduction. Fig.(s) ______
10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)
    - ______ Lines, numbers & letters not uniformly thick and well defined, clean, durable and black (poor line quality). Fig.(s) ______
11. SHADING. 37 CFR 1.84(m)
    - ______ Solid black areas pale. Fig.(s) ______
    - ______ Solid black shading not permitted. Fig.(s) ______
    - ______ Shade lines, pale, rough and blurred. Fig.(s)
12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.48(p)
    - ______ Numbers and reference characters not plain and legible. Fig.(s) ______
    - ______ Figure legends are poor. Fig.(s) ______
    - ______ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(3) Fig.(s) ______
    - ______ English alphabet not used. 37 CFR 1.84(p)(3) Fig.(s) ______
    - ______ Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig.(s) ______
13. LEAD LINES. 37 CFR 1.84(q)
    - ______ Lead lines cross each other. Fig.(s) ______
    - ______ Lead lines missing. Fig.(s) ______
14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.48(t)
    - ______ Sheets not numbered consecutively, and in Ababic numerals beginning with number 1. Fig.(s) ______
15. NUMBERING OF VIEWS. 37 CFR 1.84(u)
    - ______ Views not numbered consecutively, and in Abrabic numerals, beginning with number 1. Fig.(s) ______
16. CORRECTIONS. 37 CFR 1.84(w)
    - ______ Corrections not made from PTO-948 dated ______
17. DESIGN DRAWINGS. 37 CFR 1.152
    - ______ Surface shading shown not appropriate. Fig.(s) ______
    - ______ Solid black shading not used for color contrast. Fig.(s) ______

COMMENTS

REVIEWER [signature] DATE 8-25-98 TELEPHONE NO. ______

ATTACHMENT TO PAPER NO. ______

Notice of References Cited

Application No.	Applicant(s)	
09/120,452	Paul Yurt et al	
Examiner	**Group Art Unit**	
Amanda T. Le	2734	Page 1 of 1

U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	5,550,863	08/27/96	Yurt et al	375	240
B	5,253,275	10/12/93	Yurt et al	375	240
C				----	
D				----	----
E					
F					
G					
H					
I					
J					
K					
L					
M					

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						

NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		
X		

PRINT OF DRAWINGS
AS ORIGINALLY FILED

FIG. 1e

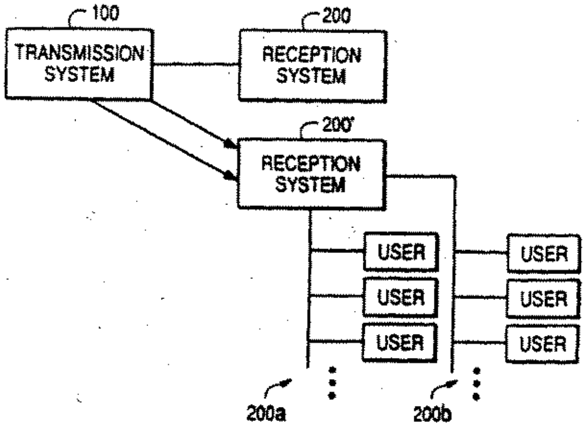
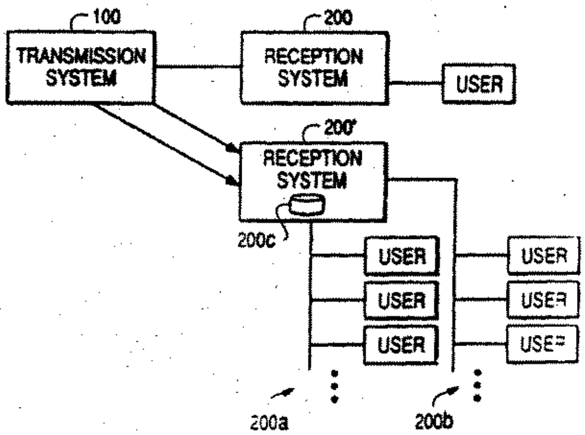

100
TRANSMISSION SYSTEM
200
RECEPTION SYSTEM
200'
RECEPTION SYSTEM
USER
USER
USER
USER
USER
USER
200a
200b

FIG. 1f


100
TRANSMISSION SYSTEM
200
RECEPTION SYSTEM
USER
200'
RECEPTION SYSTEM
200c
USER
USER
USER
USER
200a
200b

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PRINT OF DRAWINGS
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FIG. 1a

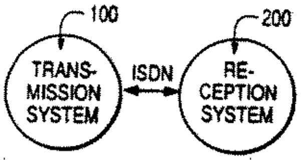
100
200
TRANS-
MISSION
SYSTEM
ISDN
RE-
CEPTION
SYSTEM

FIG. 1b

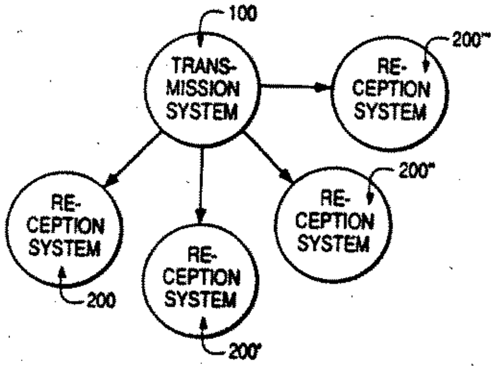
100
TRANS-
MISSION
SYSTEM
RE-
CEPTION
SYSTEM
200'''
200''
200'
200

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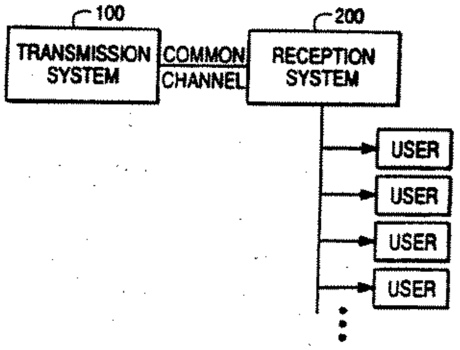
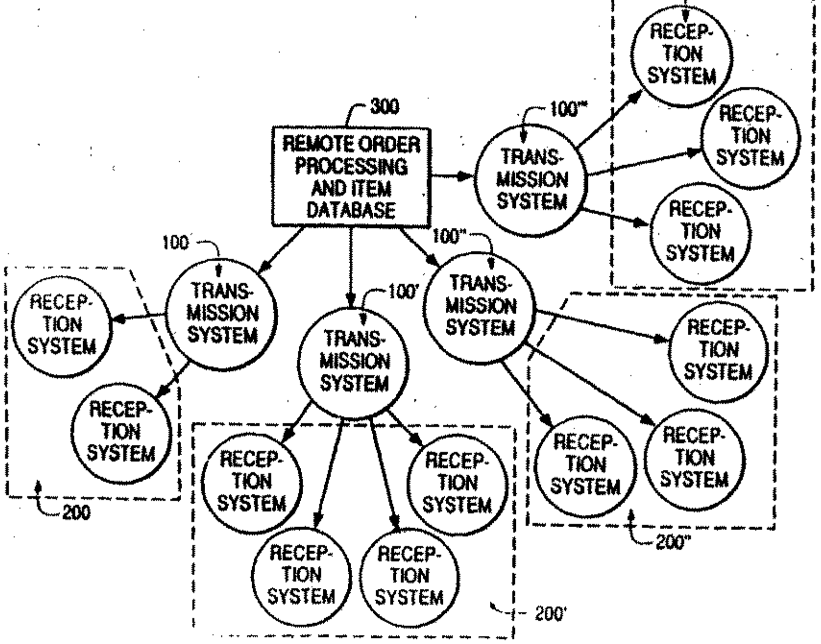
FIG. 1d


100
200
TRANSMISSION
SYSTEM
COMMON
CHANNEL
RECEPTION
SYSTEM
USER
USER
USER
USER

PRINT OF DRAWINGS
AS ORIGINALLY FILED

FIG. 1c


300
REMOTE ORDER PROCESSING AND ITEM DATABASE
100
100'
100"
100'''
TRANS-MISSION SYSTEM
RECEP-TION SYSTEM
200
200'
200"
200'''

PRINT OF DRAWINGS
AS ORIGINALLY FILED

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FIG. 1g

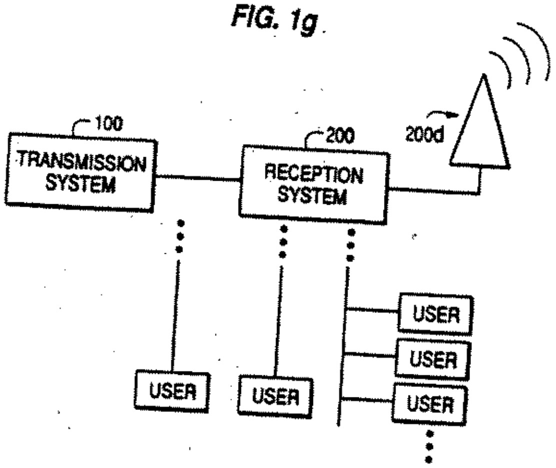
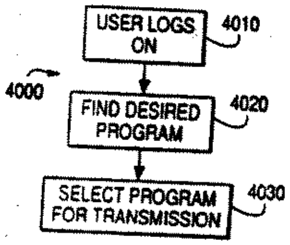

100
TRANSMISSION SYSTEM
200
RECEPTION SYSTEM
200d
USER
USER
USER
USER
USER

FIG. 4


USER LOGS ON
4010
4000
FIND DESIRED PROGRAM
4020
SELECT PROGRAM FOR TRANSMISSION
4030

PRINT OF DRAWINGS
AS ORIGINALLY F

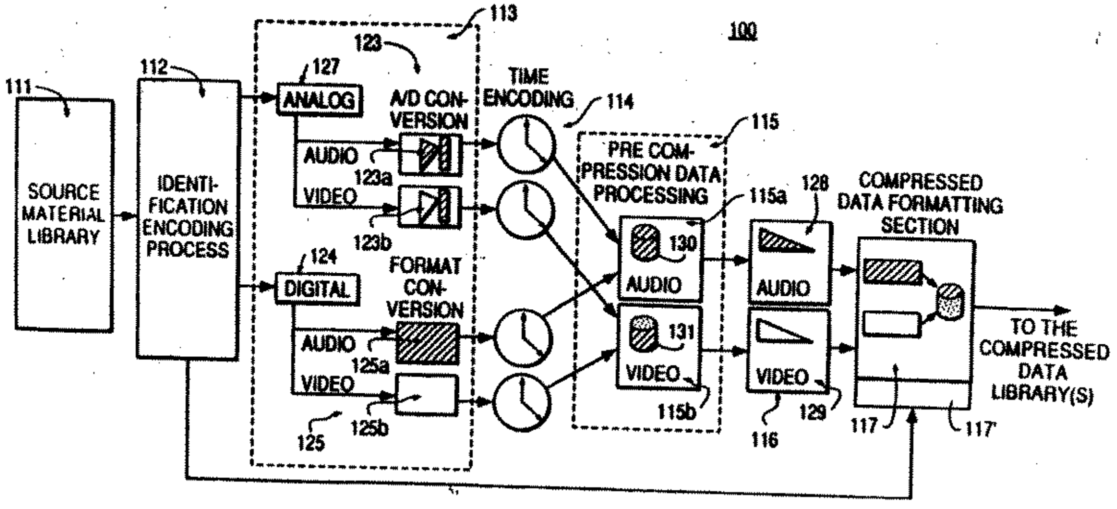

100
111
SOURCE MATERIAL LIBRARY
112
IDENTI-FICATION ENCODING PROCESS
113
123
127
ANALOG
A/D CON-VERSION
AUDIO
123a
VIDEO
123b
124
DIGITAL
FORMAT CON-VERSION
AUDIO
125a
VIDEO
125b
125
TIME ENCODING
114
115
PRE COM-PRESSION DATA PROCESSING
115a
130
AUDIO
131
VIDEO
115b
128
AUDIO
VIDEO
129
116
COMPRESSED DATA FORMATTING SECTION
117
117'
TO THE COMPRESSED DATA LIBRARY(S)

FIG. 2a

PRINT OF DRAWINGS
AS ORIGINALLY

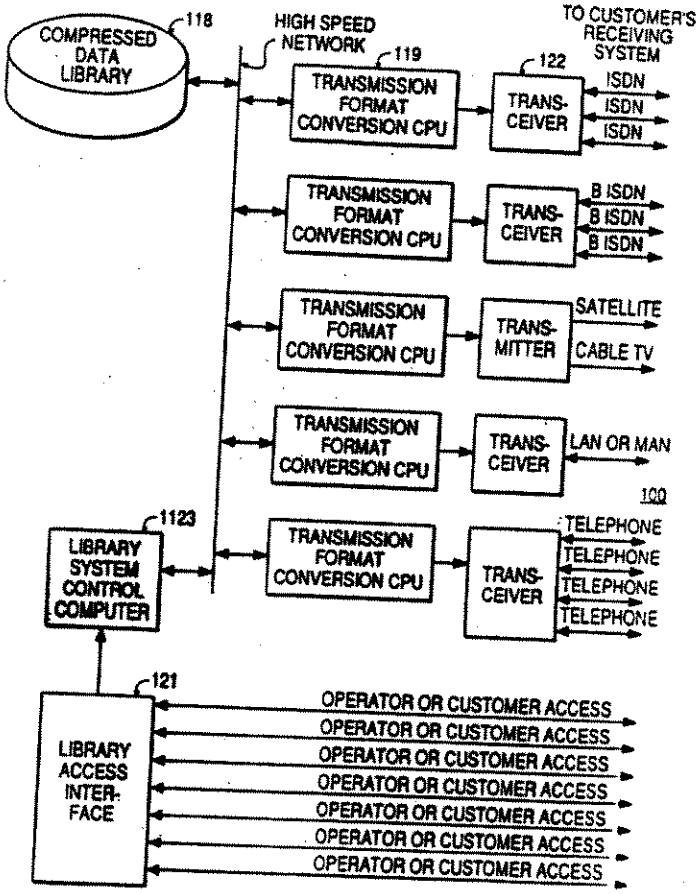

COMPRESSED DATA LIBRARY
118
HIGH SPEED NETWORK
119
TRANSMISSION FORMAT CONVERSION CPU
122
TRANS-CEIVER
TO CUSTOMER'S RECEIVING SYSTEM
ISDN
ISDN
ISDN
TRANSMISSION FORMAT CONVERSION CPU
TRANS-CEIVER
B ISDN
B ISDN
B ISDN
TRANSMISSION FORMAT CONVERSION CPU
TRANS-MITTER
SATELLITE
CABLE TV
TRANSMISSION FORMAT CONVERSION CPU
TRANS-CEIVER
LAN OR MAN
100
1123
LIBRARY SYSTEM CONTROL COMPUTER
TRANSMISSION FORMAT CONVERSION CPU
TRANS-CEIVER
TELEPHONE
TELEPHONE
TELEPHONE
TELEPHONE
121
LIBRARY ACCESS INTER-FACE
OPERATOR OR CUSTOMER ACCESS
OPERATOR OR CUSTOMER ACCESS
OPERATOR OR CUSTOMER ACCESS
OPERATOR OR CUSTOMER ACCESS
OPERATOR OR CUSTOMER ACCESS
OPERATOR OR CUSTOMER ACCESS
OPERATOR OR CUSTOMER ACCESS

FIG. 2b

PRINT OF DRAWINGS
AS ORIGINALLY [illegible]D

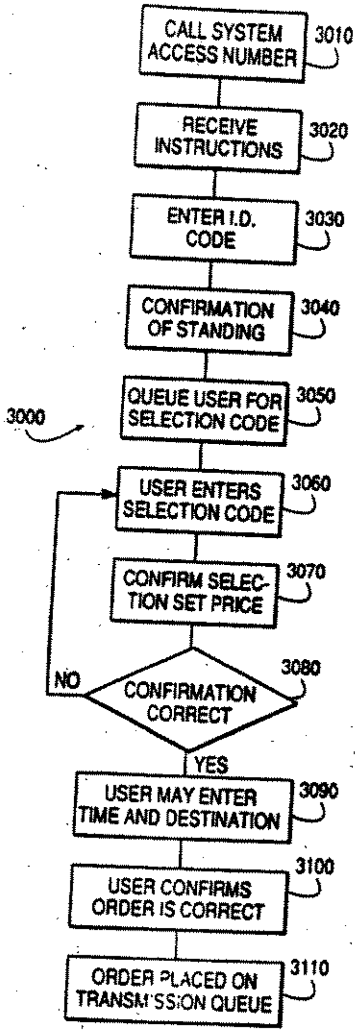

CALL SYSTEM ACCESS NUMBER
3010
RECEIVE INSTRUCTIONS
3020
ENTER I.D. CODE
3030
CONFIRMATION OF STANDING
3040
QUEUE USER FOR SELECTION CODE
3050
3000
USER ENTERS SELECTION CODE
3060
CONFIRM SELECTION SET PRICE
3070
NO
CONFIRMATION CORRECT
3080
YES
USER MAY ENTER TIME AND DESTINATION
3090
USER CONFIRMS ORDER IS CORRECT
3100
ORDER PLACED ON TRANSMISSION QUEUE
3110

FIG. 3

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PRINT OF DRAWINGS
AS ORIGINALLY F

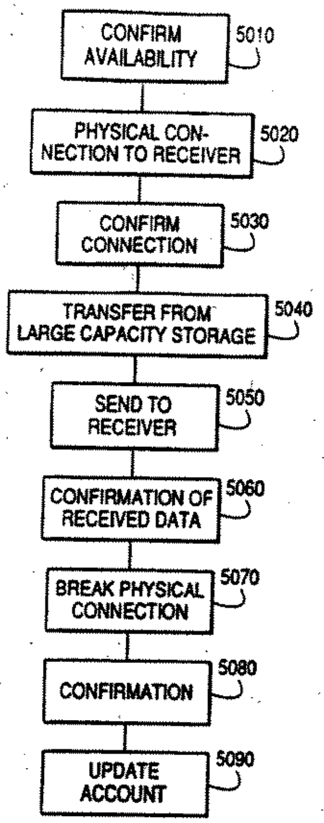
CONFIRM AVAILABILITY
5010
PHYSICAL CON-NECTION TO RECEIVER
5020
CONFIRM CONNECTION
5030
TRANSFER FROM LARGE CAPACITY STORAGE
5040
SEND TO RECEIVER
5050
CONFIRMATION OF RECEIVED DATA
5060
BREAK PHYSICAL CONNECTION
5070
CONFIRMATION
5080
UPDATE ACCOUNT
5090

FIG. 5

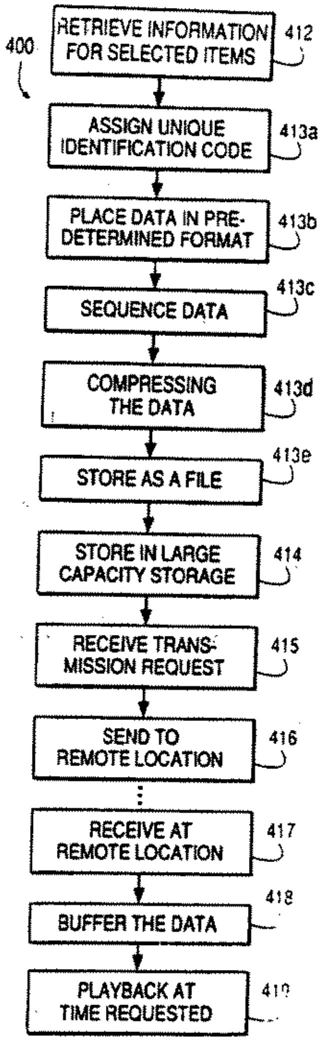
400
RETRIEVE INFORMATION FOR SELECTED ITEMS
412
ASSIGN UNIQUE IDENTIFICATION CODE
413a
PLACE DATA IN PRE-DETERMINED FORMAT
413b
SEQUENCE DATA
413c
COMPRESSING THE DATA
413d
STORE AS A FILE
413e
STORE IN LARGE CAPACITY STORAGE
414
RECEIVE TRANS-MISSION REQUEST
415
SEND TO REMOTE LOCATION
416
RECEIVE AT REMOTE LOCATION
417
BUFFER THE DATA
418
PLAYBACK AT TIME REQUESTED

FIG. 7

PRINT OF DRAWINGS AS ORIGINALLY FILED

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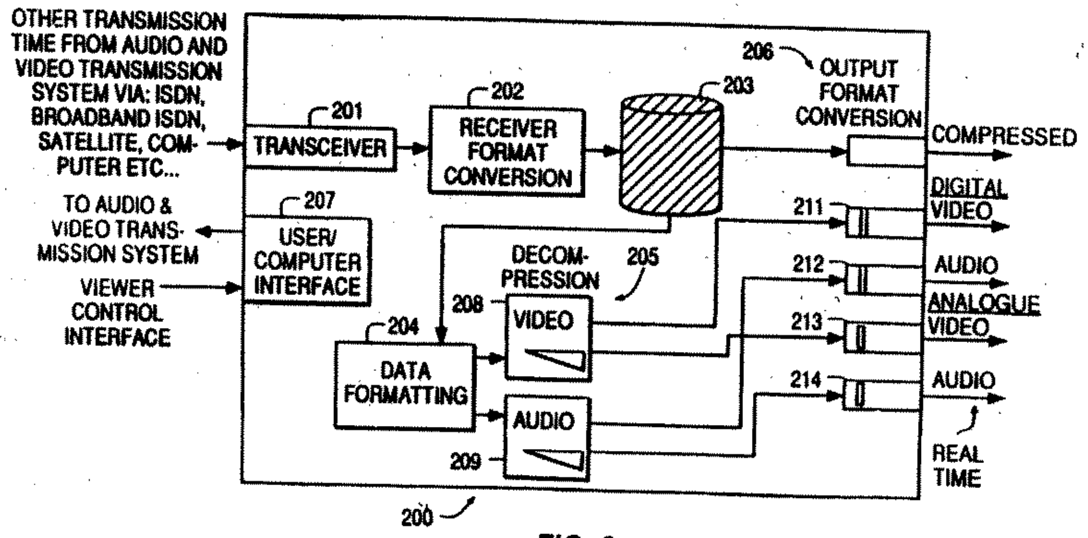
OTHER TRANSMISSION TIME FROM AUDIO AND VIDEO TRANSMISSION SYSTEM VIA: ISDN, BROADBAND ISDN, SATELLITE, COMPUTER ETC...
TO AUDIO & VIDEO TRANSMISSION SYSTEM
VIEWER CONTROL INTERFACE
201
TRANSCEIVER
202
RECEIVER FORMAT CONVERSION
203
206
OUTPUT FORMAT CONVERSION
COMPRESSED
211
DIGITAL VIDEO
212
AUDIO
213
ANALOGUE VIDEO
214
AUDIO
REAL TIME
207
USER/ COMPUTER INTERFACE
DECOMPRESSION
205
208
VIDEO
204
DATA FORMATTING
AUDIO
209
200

FIG. 6

PRINT OF DRAWINGS
AS ORIGINALLY FILED

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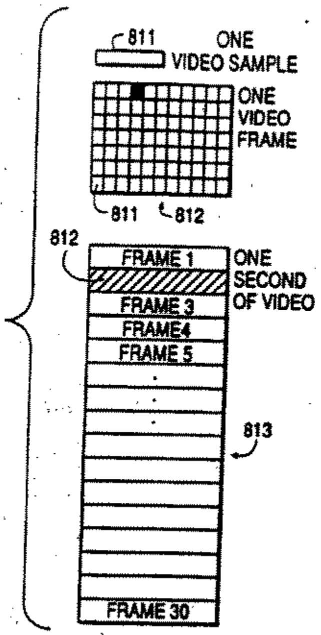

811
ONE
VIDEO SAMPLE
ONE
VIDEO
FRAME
811
812
812
FRAME 1
ONE
SECOND
OF VIDEO
FRAME 3
FRAME4
FRAME 5
813
FRAME 30

FIG. 8a

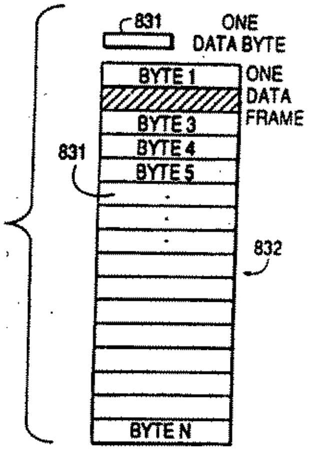

831
ONE
DATA BYTE
BYTE 1
ONE
DATA
FRAME
BYTE 3
831
BYTE 4
BYTE 5
832
BYTE N

FIG. 8c

PRINT OF DRAWINGS
AS ORIGINALLY FILED

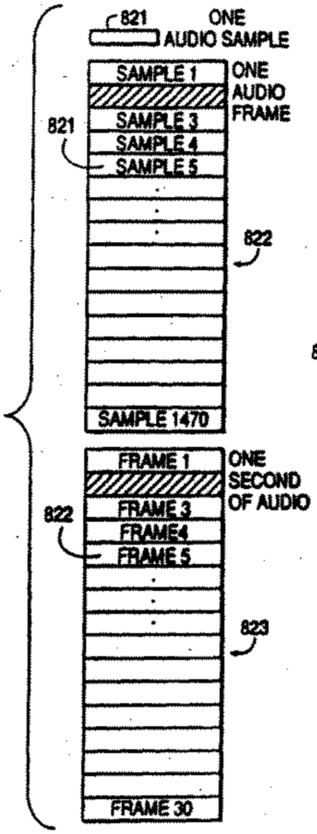
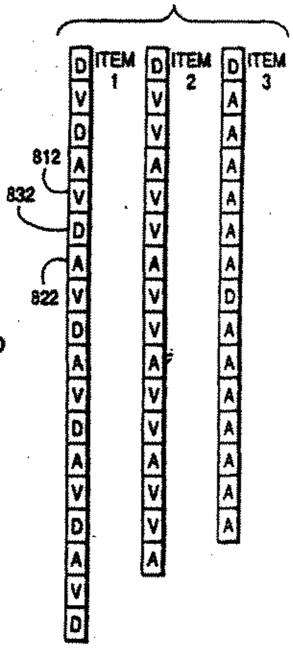

821
ONE AUDIO SAMPLE
SAMPLE 1
ONE AUDIO FRAME
SAMPLE 3
SAMPLE 4
SAMPLE 5
822
SAMPLE 1470
FRAME 1
ONE SECOND OF AUDIO
FRAME 3
FRAME4
FRAME 5
823
FRAME 30

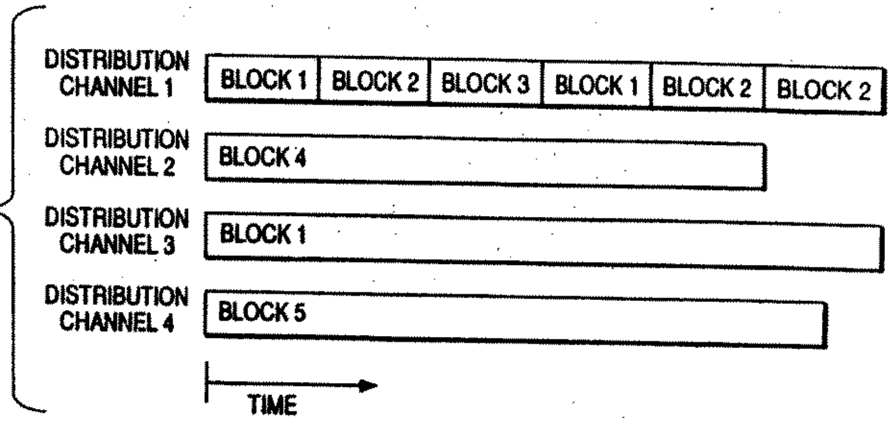
FIG. 8b

FIG. 8d


ITEM 1
ITEM 2
ITEM 3
812
832
822

PRINT OF DRAWINGS
AS ORIGINALLY F

FIG. 8e


DISTRIBUTION CHANNEL 1
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 1
BLOCK 2
BLOCK 2
DISTRIBUTION CHANNEL 2
BLOCK 4
DISTRIBUTION CHANNEL 3
BLOCK 1
DISTRIBUTION CHANNEL 4
BLOCK 5
TIME

PATENT
Attorney Docket No.: 2473.0001-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional Application of:)
Paul YURT et al.)
Prior Serial No.: 08/630,590) Prior Group Art Unit: 2734
Filed: herewith) Prior Examiner: A. Le
For: AUDIO AND VIDEO TRANSMISSION AND RECEIVING SYSTEM)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

Prior to the examination of the above application, please amend this application as follows:

IN THE SPECIFICATION:

Please amend the specification as follows:

Page 9, line 9, change "systema" to --systems--.

Page 11, line 3, change "is" to --as--;

line 7, change "send a movie" and insert --have a movie sent--; and

line 14, after "items" insert --for--.

Page 12, line 8, after "recorder." insert --The receiving system recognizes copy protected programs and disables the audio-video recorder.--.

Page 13, line 25, change "communicated" to --communicate--.

LAW OFFICES
FINNEGAN, HENDERSON, FARABOW, GARRETT, & DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

Page 14, line 15, change "the any of" to --any of the--.

Page 16, line 14, after "such" insert --as in--; and

line 20, after "notes" insert --which--.

Page 17, line 5, after "information" insert --is--.

Page 21, line 8, after "application" insert --of--.

Page 23, line 25, change "122" to --112--.

Page 25, line 3, delete "to"; and

line 14, delete "is".

Page 31, line 16, change "source material library 111" to --compressed data library 118--.

Page 32, line 6, change "of" to --for--.

Page 34, line 15, change "stored" to --processed--.

Page 35, line 4, change "receivingsystem" to --receiving system--.

Page 36, line 12, after "ISDN" insert --channel--; and

line 17, after "DBS" insert --,-- (comma).

Page 39, line 23, after "to" insert --converter 206 including--;

line 24, after "analog" insert --video--.

Page 42, line 7, change "payed" to --played--.

Page 43, line 3, delete "may be" (SECOND OCCURRENCE).

LAW OFFICES
FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

E

REMARKS

The amendments to the specification are made to correct minor typographical and grammatical errors.

If there are any fees due in connection with the filing of this amendment, please charge the fees to our Deposit Account No. 06-0916. If an extension of time under 37 C.F.R. 1.136 not accounted for above is required for the entry of this amendment, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

By: [signature]
Doris Johnson Hines
Reg. No. 34,629

Dated: July 23, 1998

09120452 072398

LAW OFFICES
FINNEGAN, HENDERSON, FARABOW, GARRETT, & DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

E

[redacted] - OCT-21-99 11:41 From:HOWREY [redacted] MON 202383661[redacted] T-034 P.07/14 Job-223

#17 ?M
5-31-00

PATENT
Attorney Docket No.: 2473.0001-04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Divisional Application of:	
Paul YURT et al.	
Prior Serial No.: 08/630,590	Prior Group Art Unit: 2734
Filed: herewith	Prior Examiner: A. Le
For: AUDIO AND VIDEO TRANSMISSION AND RECEIVING SYSTEM	

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449.

Copies of the listed documents are available in prior applications, serial nos. 08/630,590, 08/133,982, 07/862,508, and 07/637,562, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration of relevant portions thereof by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants

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reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
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By: [signature]
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Dated: July 23, 1998

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